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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,926	09/29/2003	Gregory L. Sundberg	279.666US1	7372

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EXAMINER
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SMITH, TERRI L

ART UNIT	PAPER NUMBER
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3762

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/20/2006	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	Application No. 10/673,926	Applicant(s) SUNDBERG, GREGORY L.	
	Examiner Terri L. Smith	Art Unit 3762	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 02 November 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 8-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 8-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Continued Examination Under 37 CFR 1.114*

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office Action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 02 November 2006 has been entered.

### *Response to Arguments*

2. Applicant's arguments with respect to claims 1–26 have been considered but are moot in view of the new ground(s) of rejection necessitated by amendment.

3. Additionally, because Examiner will use 35 USC § 103 rejections throughout this Office Action and some of the same art cited in the Office Action mailed out on 03 August 2006, Examiner respectfully disagrees with Applicant's repeated arguments against the 35 USC § 103 rejections using the *In re Lee* case law and "no legally sufficient motivation to combine such references has been provided." In response to Applicant's arguments that there is no legally sufficient motivation to combine such references has been provided, the Examiner recognizes that references cannot be arbitrarily combined and that there must be some reason why one skilled in the art would be motivated to make the proposed combination of primary and secondary references. *In re Nomiya*, 184 USPQ 607 (CCPA 1975). However, there is no requirement that a motivation to make the modification be expressly articulated. The test for combining references is what the combination of disclosures taken, as a whole would suggest to one of ordinary skill in the art. *In re McLaughlin*, 170 USPQ 209 (CCPA). References are

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evaluated by what they suggest to one versed in the art, rather than by their specific disclosures.

*In re Bozek*, 163 USPQ 545 (CCPA) 1969.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the Applicant regards as his invention.

5. Claims 1–6 and 24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claim 1, the phrase “including one or more helical drive grooves” is vague and confusing. It is unclear what includes the drive grooves. Is it the piston of the helix or a combination of both?

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office Action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the Applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the Applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1–6, 8–12, 14–17, 19, 23 and 25, are rejected under 35 U.S.C. 102(b) as being anticipated by Scheiner et al., U.S. Patent 6,212,434.
8. Regarding claims 1, 2, 8, 14, 15, 16, 19, and 23, Scheiner et al. disclose a lead body (e.g. Fig. 39, element 900); a conductor (e.g. unlabelled coil located within the lead); a piston (e.g. as shown in Fig. 39 herein below element 922 (collar) and designated recess); a fixation/active

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fixation helix supported by/coupled with a piston/along a first longitudinal portion of a fixation helix (e.g. as shown in Fig. 39 herein below at 970 supported by the designated recess), a drive mechanism including one or more helical drive grooves (e.g. 920, external threads; column 27, lines 55–56); and a housing portion (e.g. 924) including a guide disposed on an inner surface thereof/guide extending from an inner surface of a housing and rideable within helical grooves (e.g. 926, internal threads; column 27, lines 55–56) allowing at least one of advancing or retracting of a fixation helix relative to a lead body (e.g. column 27, lines 36–37) and adapted to interact with a first portion of a fixation helix (last limitation in claim 15) (e.g. Fig. 39 shown herein below where 970 interacts with the designated recess. NOTE: The helix interacts with the guide through the piston. It is noted that the claim does not say that the guide interacts directly with the fixation helix); rotating a fixation helix (column 6, lines 63–64); and longitudinally driving a fixation helix with a drive mechanism (e.g. column 28, lines 3–5); moving a first portion of a fixation helix along a guide (column 7, lines 25–27).

9. With respect to claims 3–4, Scheiner et al. disclose a piston has a recess wrapped around an outer surface thereof such that one or more portions of a recess are separated from one another by a non-recessed portion and at least a portion of a first portion of a fixation helix is disposed within a recess (claim 3) (e.g. see Fig. 39 herein below) and a recess has a helical shape (claim 4) (e.g. 920, grooves of external threads have a helical shape).

10. Regarding claims 5–6, Scheiner et al. disclose a recess has a first width and a first width is less than a diameter of a first portion of a fixation helix (claim 5) (e.g. see Fig. 39 herein below where the diameter of the designated recess is less than the diameter of 970 that is wrapped

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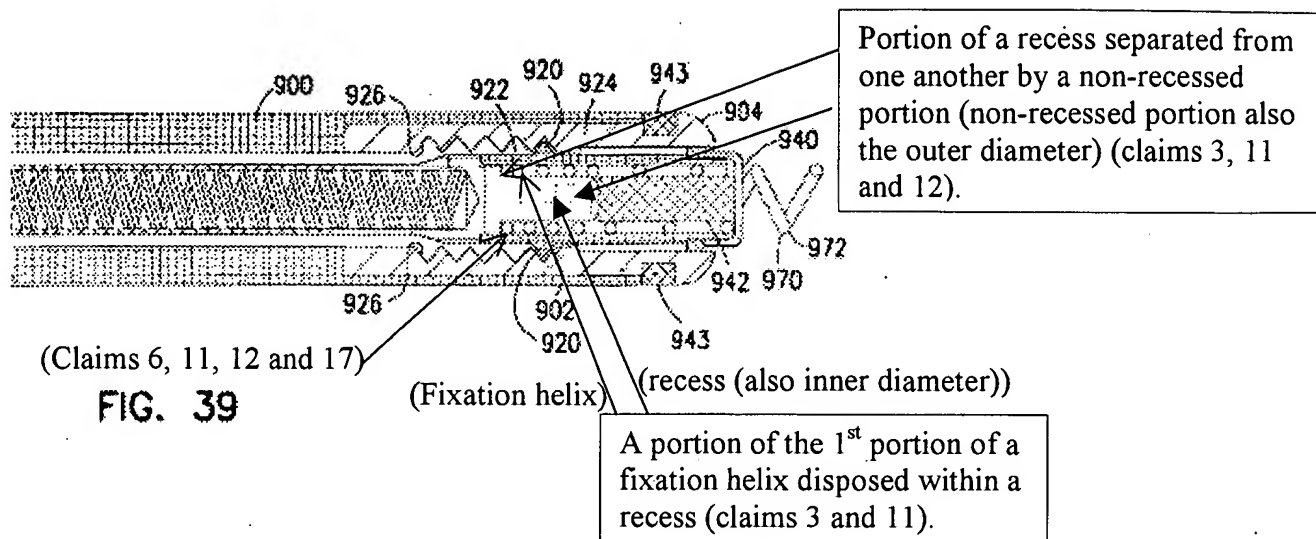
around it) and approximately  $\frac{1}{3}$  to  $\frac{1}{2}$  of a diameter of a fixation helix is disposed within a recess (claim 6) (e.g. see Fig. 39 herein below).

11. For claims 9–10, Scheiner et al. disclose a guide is a helical guide protruding from an inner surface of a housing (claim 9) and a segmented helical guide (claim 10) (e.g. element 930, insert, with internal threads 926 where the helical threads represent segments).

12. Regarding claim 11, Scheiner et al. disclose a fixation helix is coupled with a piston along a recess extending inward from an outer surface of a piston (e.g. see Fig. 39 herein below, the attachment of the fixation helix, 970, on the indicated recess), a first portion of a recess separated from a second portion of a recess by a non-recessed piston portion (e.g. see Fig. 39 herein below, the non-recessed portion separating the first portion of a recess from a second portion of a recess).

13. With respect to claim 12, Scheiner et al. disclose a fixation helix has an inner diameter and a piston has an outer diameter, and an outer diameter is greater than an inner diameter prior to coupling a fixation helix with a piston (e.g. see Fig. 39 herein below).

14. For claims 17 and 25, Scheiner et al. disclose an active fixation helix is recessed within an outer axial surface portion of a piston (claim 17) (e.g. see Fig. 39 herein below); a stop adapted to prevent over extension of a fixation helix from a lead body, a stop protruding around a portion of a piston (claim 25) (e.g. element 940; column 7, lines 31–33).



15. Claims 1–6, 8–12, 14–17 and 25 are rejected under 35 U.S.C. 102(e) as being anticipated by Soltis et al., U.S. Patent 6,704,605.

16. Regarding claims 1, 2, 8 and 14–16, Soltis et al. disclose a lead assembly (e.g. Fig. 1, element 10) comprising: a lead body (e.g. 12); a conductor (e.g. column 2, lines 15–16; column 4, lines 16–17); a piston (e.g. Fig. 2A, element 36); a fixation/active fixation helix supported by/coupled with a piston/along a first longitudinal portion of a fixation helix (e.g. element 40 attached at element 43), a drive mechanism including one or more helical drive grooves (e.g. 38, external threads); and a housing portion (e.g. 32) including a guide disposed on an inner surface thereof/guide extending from an inner surface of a housing and rideable within helical grooves (e.g. 34, internal threads) allowing at least one of advancing or retracting of a fixation helix relative to a lead body (e.g. Fig. 2A retracted fixation helix and Fig. 2B advanced fixation helix) and adapted to interact with a first portion of a fixation helix (last limitation in claim 15) (e.g. 40 interacts with 38. NOTE: The helix interacts with the guide through the piston. It is noted that claim does not say that the guide interacts directly with the fixation helix); a piston electrically

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coupled with a conductor and an active fixation helix supported by a piston (e.g. Figs. 2A–2B, element 40; column 4, lines 7–12 and 16–17).

17. With respect to claims 3–4, Soltis et al. disclose a piston has a recess wrapped around an outer surface thereof such that one or more portions of a recess are separated from one another by a non-recessed portion, and at least a portion of a first portion of a fixation helix is disposed within a recess (claim 3) (e.g. see Fig. 2A herein below) and a recess has a helical shape (claim 4) (e.g. element 38, external threads have a helical shape).

18. Regarding claims 5–6, Soltis et al. disclose a recess has a first width and a first width is less than a diameter of a first portion of a fixation helix (claim 5) (e.g. the diameter of element 43 is less than the diameter of 40) and approximately  $1/3$  to  $1/2$  of a diameter of a fixation helix is disposed within a recess (claim 6) (e.g. see Fig. 2A herein below).

19. For claims 9–10, Soltis et al. disclose a guide is a helical guide protruding from an inner surface of a housing (claim 9) and a segmented helical guide (claim 10) (e.g. element 34 where the helical threads represent segments).

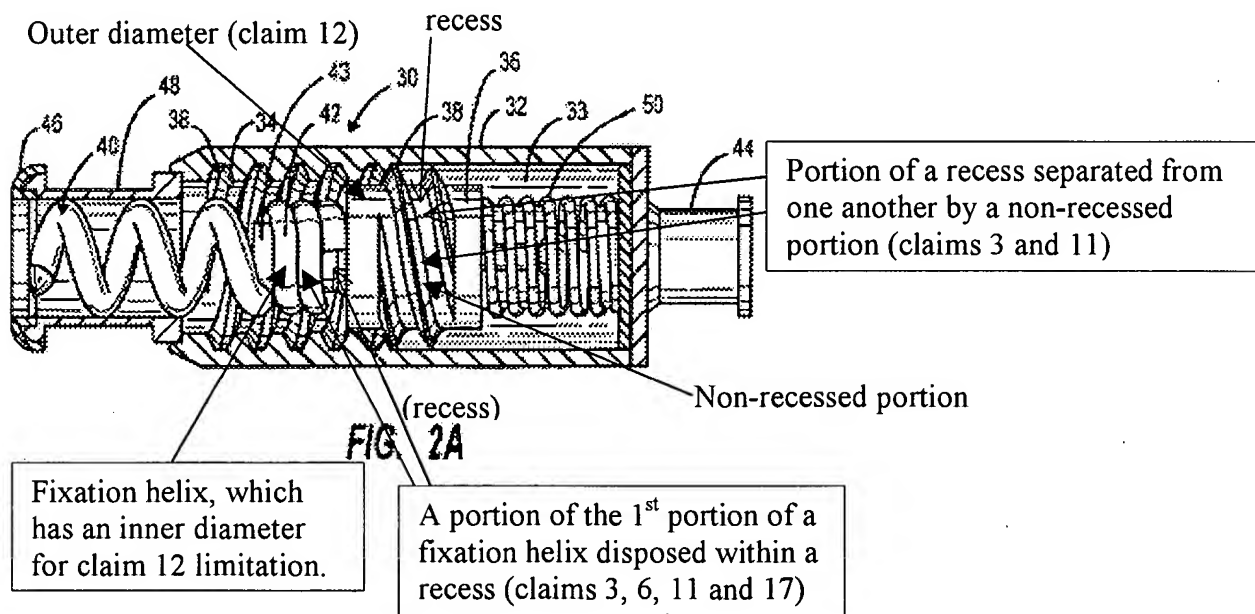
20. Regarding claim 11, Soltis et al. disclose a fixation helix is coupled with a piston along a recess extending inward from an outer surface of a piston, a first portion of a recess separated from a second portion of a recess by a non-recessed piston portion (e.g. see Fig. 2A herein below).

21. With respect to claim 12, Soltis et al. disclose a fixation helix has an inner diameter and a piston has an outer diameter, and an outer diameter is greater than an inner diameter prior to coupling a fixation helix with a piston (e.g. see Fig. 2A herein below).



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22. For claims 17 and 25, Soltis et al. disclose an active fixation helix is recessed within an outer axial surface portion of a piston (claim 17) (e.g. see Fig. 2A herein below); a stop adapted to prevent over extension of a fixation helix from a lead body, a stop protruding around a portion of a piston (claim 25) (e.g. as shown in Fig. 2B, the mating/engagement of elements 34 and 38 protruding around element 36 showing the helical fixation device in its fully extended position and preventing over extension of the fixation helix from the lead body at the point where 36 does not travel beyond 48).



### *Claim Rejections - 35 USC § 103*

23. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office Action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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24. Claims 13 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scheiner et al. as applied to claims 8 and 15 above, and in view of Bisping, U.S. Patent 4,282,885.

25. Regarding claims 13 and 18, Scheiner et al. disclose a fixation helix is coupled with a piston and an active fixation helix is mechanically coupled with a piston (e.g. as shown in Fig. 39 herein above) but not along a helical recess (claim 13) and not via one or more groove portions separated by a non-recessed piston portion (claim 18). However, Bisping discloses a fixation helix is coupled along a helical recess (e.g. Fig. 6, element 22, screw-in helix, coupled along helical groove, 26) and an active fixation helix is mechanically coupled via one or more groove portions separated by a non-recessed piston portion (e.g. Fig. 6, element 22 and the raised portions created by element 26) to provide stable guidance for the relative movement between the helix and the piston during implantation and extraction. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the invention of Scheiner et al. to include a fixation helix is coupled along a helical recess and an active fixation helix is mechanically coupled via one or more groove portions separated by a non-recessed portion, as taught by Bisping to provide stable guidance for the relative movement between the helix and the piston during implantation and extraction.

26. Claims 20–21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scheiner et al. and in view of Bisping, U.S. Patent 4,282,885.

27. Regarding claims 20–21, Scheiner et al. disclose recessing at least a part of a first portion of a fixation helix within a piston (claim 20) and recessing approximately  $1/3$  to  $1/2$  of a diameter

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of a fixation helix within a piston (claim 21) (e.g. as shown in Fig. 39 herein above), but Scheiner et al. do not disclose that a non-recessed portion of a piston separates successive turns of a fixation helix (claims 20 and 21). However, Bisping discloses a non-recessed portion separates successive turns of a fixation helix (e.g. Fig. 6, the raised portions of element 23 created by the grooves, 26, represent the non-recessed portion and 22, screw-in helix, represents the successive turns of a fixation helix) to provide stability to the helical fixation element during implantation and extraction. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the invention of Scheiner et al. to include a non-recessed portion separates successive turns of a fixation helix, as taught by Bisping to provide stability to the helical fixation element during implantation and extraction.

28. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Scheiner et al., and in view of Smits, U.S. Patent 4,311,153.

29. Scheiner et al. disclose the essential features of the claimed invention as described above except for recessing at least a part of a first portion of a fixation helix within a helical groove. However, Smits discloses recessing at least a part of a first portion of a fixation helix within a helical groove (e.g. Fig. 5, elements 14, helical fixation coil, and 12, helical guide) to provide stability to the helical fixation element during implantation and extraction. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the invention of Scheiner et al. to include recessing at least a part of a first portion of a fixation helix within a helical groove of a piston, as taught by Smits to provide stability to the helical fixation element during implantation and extraction.

30. Claims 24 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scheiner et al. as applied to claims 1 and 15 above, and in view of Berthelsen et al., U.S. Patent 5,002,067.

31. With respect to claims 24 and 26, Scheiner et al. disclose a housing (e.g. 924), but not a molded component (claim 24) and a fluoromarker (claim 26). However, Berthelsen et al. disclose a molded component (e.g. Fig. 1, element 10, molded plastic electrode head) to add stability to the device for implantation and extraction and a fluoromarker (e.g. element 28, a radiopaque indicator ring) to allow a physician to determine the position and location of a fixation helix in a surgical procedure. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the invention of Scheiner et al. to include a molded component and a fluoromarker, as taught by Berthelsen et al. to provide a robust device and to provide vital assistance to a physician in a surgical procedure.

32. Claims 13 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Soltis et al. as applied to claims 8 and 15 above, and in view of Bisping, U.S. Patent 4,282,885.

33. Regarding claims 13 and 18, Soltis et al. disclose a fixation helix is coupled with a piston and an active fixation helix is mechanically coupled with a piston (e.g. Fig. 2A, element 40 coupled to element 36 at its distal end, 43) but not along a helical recess (claim 13) and not via one or more groove portions separated by a non-recessed piston portion (claim 18). However, Bisping discloses a fixation helix is coupled along a helical recess (e.g. Fig. 6, element 22, screw-in helix, coupled along helical groove, 26) and an active fixation helix is mechanically

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coupled via one or more groove portions separated by a non-recessed portion (e.g. Fig. 6, element 22 and the raised portions created by element 26) to provide stable guidance for the relative movement between the helix and the piston during implantation and extraction.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the invention of Soltis et al. to include a fixation helix is coupled along a helical recess and an active fixation helix is mechanically coupled via one or more groove portions separated by a non-recessed portion, as taught by Bisping to provide stable guidance for the relative movement between the helix and the piston during implantation and extraction.

34. Claims 24 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Soltis et al. as applied to claims 1 and 15 above, and in view of Berthelsen et al., U.S. Patent 5,002,067.

35. With respect to claims 24 and 26, Soltis et al. disclose a housing (e.g. 32), but not a molded component (claim 24) and a fluoromarker (claim 26). However, Berthelsen et al. disclose a molded component (e.g. Fig. 1, element 10, molded plastic electrode head) to add stability to the device for implantation and extraction and a fluoromarker (e.g. element 28, a radiopaque indicator ring) to allow a physician to determine the position and location of a fixation helix in a surgical procedure. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the invention of Soltis et al. to include a molded component and a fluoromarker, as taught by Berthelsen et al. to provide a robust device and to provide vital assistance to a physician in a surgical procedure.

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36. Claims 19, 22 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Soltis et al., U.S. Patent 6,704,605, and in view of Smits, U.S. Patent 4,311,153.

37. Regarding claims 19 and 23, Soltis et al. disclose providing a lead assembly (e.g. Fig. 1, element 10) including: a lead body (e.g. 12); a conductor (e.g. column 2, lines 15–16; column 4, lines 16–17); a piston (e.g. Fig. 2A, element 36); a fixation helix (e.g. 40) supported by a piston at a first portion of a fixation helix (e.g. as shown in Fig. 2A herein above), a first portion of a fixation helix forming a drive mechanism (e.g. the movement of the fixation helix supported by a piston where fixation helix 40's proximal end 42 is fixed to the distal end 43 of the piston member 36); a housing including a guide extending from an inner surface thereof (e.g. 32, housing; 34, internal threads); rotating a fixation helix (ABSTRACT, lines 6–8); and longitudinally driving a fixation helix with a drive mechanism (e.g. Fig. 2A retracted fixation helix and Fig. 2B advanced fixation helix). Soltis et al. do not disclose moving a first portion of a fixation helix along a guide. However, Smits discloses moving a first portion of a fixation helix along a guide (e.g. Figs. 4–10, element 12; column 2, lines 55–59; column 3, lines 30–31) to prevent possible harm to tissues and provide smooth passage through a vessel while extending and extracting the fixation device. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the invention of Soltis et al. to include moving a first portion of a fixation helix along a guide, as taught by Smits to prevent harm to tissue and provide smooth passage during implantation and extraction.

38. With respect to claim 22, Soltis et al. disclose the essential features of the claimed invention as described above except for recessing at least a part of a first portion of a fixation helix within a helical groove. However, Smits discloses recessing at least a part of a first portion

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of a fixation helix within a helical groove (e.g. Fig. 5, elements 14, helical fixation coil, and 12, helical guide) to provide stability to the helical fixation element during implantation and extraction. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the invention of Soltis et al. to include recessing at least a part of a first portion of a fixation helix within a helical groove of a piston, as taught by Smits to provide stability to the helical fixation element during implantation and extraction.

39. Claims 20–21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Soltis et al. and Smits, and further in view of Bisping, U.S. Patent 4,282,885.

40. Regarding claims 20–21, Soltis et al. disclose recessing at least a part of a first portion of a fixation helix within a piston (claim 20) and recessing approximately  $1/3$  to  $1/2$  of a diameter of a fixation helix within a piston (claim 21) (e.g. as shown in Fig. 2A herein above), but neither Soltis et al. or Smits disclose that a non-recessed portion of a piston separates successive turns of a fixation helix (claims 20 and 21). However, Bisping discloses a non-recessed portion separates successive turns of a fixation helix (e.g. Fig. 6, the raised portions of element 23 created by the grooves, 26, represent the non-recessed portion and 22, screw-in helix, represents the successive turns of a fixation helix) to provide stability to the helical fixation element during implantation and extraction. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the modified inventions of Soltis et al. and Smits to include a non-recessed portion separates successive turns of a fixation helix, as taught by Bisping to provide stability to the helical fixation element during implantation and extraction.

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*Conclusion*

41. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Terri L. Smith whose telephone number is 571-272-7146. The Examiner can normally be reached on Monday - Friday, between 7:30 a.m. - 4:00 p.m..

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Angela Sykes can be reached on 571-272-4955. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



TLS

December 7, 2006

7 December 2006



GEORGE R. EVANISKO  
PRIMARY EXAMINER

12/11/06